

IN THE SPECIFICATION:

Please replace the first paragraph beginning page 1, line 7 with the following:

21
The present application is a continuation of application Ser. No. 08/921,633, filed August 27, 1997, now U.S. Patent 6,144,711 and also claims priority from two provisional applications: SPATIO-TEMPORAL CODING FOR WIRELESS COMMUNICATION, U.S. Prov. App. No. 60/025,227, ^{filed Sept. 18, 1996,} and SPATIO-TEMPORAL CODING TECHNIQUES FOR RAPIDLY FADING WIRELESS CHANNELS, U.S. Prov. App. No. 60/025,228, ~~both~~ filed on August 29, 1996. The contents of both provisional applications are herein incorporated by references for all purposes.

IN THE CLAIMS

Please cancel claims 232 and 238-239 without prejudice.

REMARKS

Claims 224-244 have been examined. Applicants note with appreciation that claims 225-226, 229, 236-237 and 241-242 have been indicated as being allowable. Claims 224, 227-228, 230, 233-235, 238-240, 243, and 244 have been rejected. Claims 231-232 have been objected to. The present amendment cancels claims 232, and 238-239. Accordingly, claims 224-231, 233-237, and 240-244 remain pending. Reconsideration and allowance of all pending claims are respectfully requested.

The Examiner has objected to the Figures and in particular to labeling of Fig. 14. In response, Applicants submit formal drawings for all figures herewith. The Examiner objection is overcome by submission of the formal version of Fig. 14.

The Examiner has objected to the specification and has requested the insertion of appropriate priority data. The present amendment to the specification makes the desired insertion of priority data, thus overcoming the objection.

Claims 231-232 have been objected to as being identical. Applicants have cancelled claim 232 to moot this objection and the Examiner is thanked for his attention to detail.

Claim 238 has been rejected under 35 USC §101 as claiming the same invention as that of claims 16 and 18 of prior U.S. Patent No. 6,144,711. The cancellation of claim 238 moots this rejection.

Claim 235 has been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 16 of U.S. Patent No. 6,144,711. Applicants submit herewith an appropriate terminal disclaimer relative to the referenced patent. The rejection of claim 235 is therefore overcome.

Claims 240, 243, and 244 have been rejected for obviousness-type double patenting over claims 16, 19, 21, and 23 of U.S. Patent No. 6,144,711 in view of U.S. Patent 5,610,908 issued to Shelswell, et al. The terminal disclaimer discussed in reference to claim 235 moots this rejection as well.

Claim 224 has been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 239 of co-pending application no. 09/435,246. The submission herewith of a terminal disclaimer over the cited application moots this rejection.

Claims 230, 233, and 234 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 239-243 and 245 of co-pending Application No. 09/435,246 in view of Shelswell, et al. Again the terminal disclaimer relative to the cited application moots this rejection.

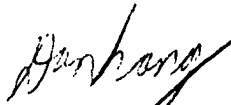
Claims 238-239 have been rejected as being indefinite. The cancellation of these claims moots this rejection.

Accordingly, all points of rejection and objection have been addressed. The submission of terminal disclaimers in response to obviousness-type double patenting rejections does not represent an admission of the validity of the rejections.

CONCLUSION

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8694.

Respectfully submitted,



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**VERSION WITH MARKINGS TO SHOW CHANGES
MADE TO THE APPLICATION**

In the Specification

The paragraph beginning on page 1, line 7 was amended as follows:

The present application is a continuation of application Ser. No. 08/921,633, filed August 27, 1997, now U.S. Patent 6,144,711 and also claims priority from two provisional applications: SPATIO-TEMPORAL CODING FOR WIRELESS COMMUNICATION, U.S. Prov. App. No. 60/025,227 and SPATIO-TEMPORAL CODING TECHNIQUES FOR RAPIDLY FADING WIRELESS CHANNELS, U.S. Prov. Ap. No. 60/025,228, both filed on August 29, 1996. The contents of both provisional applications and herein incorporated by references for all purposes.

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